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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 3:24-cr-00557-TSH
)	
Plaintiff,)	UNITED STATES' SENTENCING
)	MEMORANDUM
v.)	
)	
NICOLAS BUNAND,)	
)	
Defendant.)	

This case is set for a change of plea and sentencing hearing on Thursday, April 3, 2025. Because defendant Nicolas Bunand is charged with a Class B misdemeanor— Trespassing on Military Property in violation of 18 U.S.C. § 1382—the United States Sentencing Guidelines do not apply to the case.

In accordance with the parties' proposed plea agreement, the United States recommends that Mr. Bunand be sentenced to one year of unsupervised probation with the condition that he stay at least 100 yards away from the Hunters Point Naval Shipyard in San Francisco, California, and pay a mandatory special assessment fee of \$10.00 to the Clerk of the Court on the same day as sentencing.

Although trespassing on military property with the intent to steal is a serious offense, a more stringent sentence is not warranted given Mr. Bunand's history of being a law-abiding citizen. Mr. Bunand has no prior misdemeanor or felony convictions. When he was arrested for the instant offense

1 on March 25, 2024, it appears that Mr. Bunand had a warrant out for his arrest in connection with local
2 charges of grand theft and receipt of stolen property. The local charges have since been resolved
3 without a conviction. However, Mr. Bunand's conduct during this period, in 2024, appears be an
4 aberration to his otherwise law-abiding life. Mr. Bunand is currently 41 years old, gainfully employed,
5 and appears unlikely to reoffend.

6 Accordingly, the United States recommends that Mr. Bunand be sentenced to one year of
7 unsupervised probation with the requested 100-yard stay away condition and any other standard
8 probation conditions that the Court deems warranted. This sentence is sufficient, but not greater than
9 necessary, to reflect the seriousness of the offense and to adequately promote deterrence. 18 U.S.C. §
10 3553(a)(2)(A), (B).

11
12 DATED: March 31, 2025

Respectfully submitted,

13 PATRICK D. ROBBINS
14 Acting United States Attorney

15 /s/ Michael G. Lagrama
16 MICHAEL G. LAGRAMA
17 Assistant United States Attorney
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